

REMARKS

This application contains claims 1-26. Claims 11-26 have been canceled without prejudice. Claim 1 has been amended. No new matter has been introduced. Reconsideration is respectfully requested.

Applicant is not conceding that the subject matter encompassed by claims 11-26 prior to this amendment is not patentable over the art cited by the Examiner. Claims 11-26 were canceled in this amendment solely to facilitate expeditious prosecution of the subject matter of claims 1-10. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this amendment and additional claims, in one or more continuing applications.

Claims 20 and 23 were objected to for informalities. In view of the cancellation of these claims, this objection is now moot. Applicant has, however, amended claim 1 to correct an informality that was not noted by the Examiner.

Claim 13 was rejected under 35 U.S.C. 101 for allegedly having been directed to non-statutory subject matter. In view of the cancellation of this claim, this rejection is now moot.

Claims 22 and 23 were rejected under 35 U.S.C. 112, second paragraph, for indefiniteness. In view of the cancellation of these claims, this rejection is now moot, as well.

Claims 11 and 12 were rejected under 35 U.S.C. 102 (b) or (e) over Bailey et al. ("An Abstract Interpretation Framework for Termination Analysis of Active Rules") or Srivastava (U.S. Patent Application Publication 2004/0128645) or Levinson (U.S. Patent 6,381,580). In view of the cancellation of these claims, this rejection is also moot.

Claims 1-10 were rejected under 35 U.S.C. 103(a) over Bailey or Zhang et al. ("Babel: An XML-based Application Integration Framework") in view of Srivastava and further in view of Levinson. Applicant respectfully traverses this rejection.

Srivastava was filed December 9, 2002, but was published only on July 1, 2004, after the filing date of the present patent application (October 30, 2003). Therefore, Srivastava would qualify as prior art against the present patent application only under the provisions of 35 U.S.C. 102(e). Srivastava is assigned to International Business Machines Corporation, as evidenced by an assignment filed in the USPTO. At the time the invention recited in claims 1-10 of the present patent application was made, the inventors were likewise under an obligation to assign the invention to International Business Machines Corporation, and an assignment was duly executed and filed in the USPTO. Therefore, under the provisions of 35 U.S.C. 103(c), Srivastava is ineffective as prior art against the present patent application for purposes of 35 U.S.C. 103. Claims 1-10 are thus patentable over the cited art.

Claims 13-26 were rejected under 35 U.S.C. 103(a) over Bailey or Zhang in view of Srivastava and further in view of Levinson. In view of the cancellation of claims 13-26, this rejection is now moot, although Srivastava would likewise be disqualified as prior art against claims 13-26.

Applicant has studied the additional references made of record by the Examiner and believes the claims in this application to be patentable over these references, as well, whether they are taken individually or in any combination.

Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

Please charge any fees associated with this response to Deposit Account 09-0468.

Respectfully submitted,

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